



**BOX SEQUENCE**  
**PATENT**  
Docket No. 20-4348P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicants: WATANABE et al.

Serial No.: 08/992,914

Group: 1649

Filed: December 18, 1997

Examiner: O. Zaghmout

For: RAFFINOSE SYNTHASE GENES AND THEIR USE

#8/  
YK.  
08/24/98

**LETTER REGARDING SEQUENCE LISTING**

Assistant Commissioner for Patents  
Box SEQUENCE  
Washington, D.C. 20231

August 3, 1998  
(Monday)

Sir:

The following remarks are respectfully submitted in connection with the above-identified application.

RECEIVED

**REMARKS**

AUG 4 1998

The Office is advised that a Sequence Listing, with diskette, was sent to the U.S. Patent and Trademark Office with the papers of the original application, as evidenced by the attached copy of the mailroom postcard receipt. Notwithstanding initial compliance of the application, Applicants provide a new diskette and statement under 37 C.F.R. § 1.825(d).

**Statement Under 37 C.F.R. 1.825 (d)**

Responsive to the communication of July 1, 1998 and in compliance with 37 C.F.R. 1.825(d), the following Statement is

made:

A substitute computer readable form of the SEQUENCE LISTING, is submitted herewith.

20-4348.rev is a file in Text format which contains the same material as the printed copy of the substitute SEQUENCE LISTING submitted May 13, 1998 in connection with the above referenced application, but lacks format information.

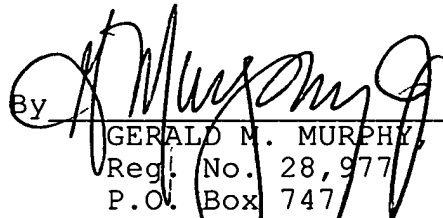
No new matter is incorporated by the amended Sequence Listing.

Favorable action on the above-identified application is respectfully requested.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. \$1.16 or under 37 C.F.R. \$1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By   
GERALD M. MURPHY, JR.  
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*DRN*  
GMM/DRN/bsh

Papers Filed herewith on: 5-13-98  
DOCKET NO.: 20-4348P  
ATTY: Gmm/IDEN  
APPLICANT(S): Watanabe et al.  
USSN: 08/992,914 FILED: 12-18-97  
PAT NO.:

- ☐ New Application with Transmittal Letter  
☐ Utility ☐ Design ☐ CIP ☐ PCT ☐ Provisional  
☐ Filing Under 37 CFR 1.53(b) ☐ CONT ☐ DIV  
☐ Filing Under 37 CFR 1.53(d) (CPA)  
☐ Specification Consisting of: \_\_\_\_\_ pages  
☐ Combined Declaration & Power of Attorney  
☐ Assignment / Cover Letter  
☐ Letter to Official Draftsman  
☒ Drawings 1 Sheets ☐ Formal ☐ Informal ☒ Red-Ink  
☐ Completion of Filing Requirements, PCT/DO/EO/905  
or PTO-1533 and Executed Declaration  
☐ Priority Document(s) / Cover Letter, No. Doc.  
☒ Amendment: Pursuant to Sequence Listing  
☒ Transmittal Ltr ☒ Large Entity ☐ Small Entity  
☐ Response  
☐ Information Disc Stmt. PTO-1449(s) \_\_\_\_\_ ref(s)  
☐ Notice of Appeal ☐ Appeal Brief  
☐ Issue Fee Transmittal  
☐ FEES: \_\_\_\_\_  
☐ Letter: \_\_\_\_\_  
☒ Other: Sequence Listing (Hard copy)  
Sequence Listing Document  
PTO-1461 Form

Receipt is hereby acknowledged of the papers filed as  
indicated in connection with the above identified case.  
COMMISSIONER OF PATENTS AND TRADEMARKS  
Due Date: 5-13-98 (Seq. Listing)  
Handcarry:

DOCKET NO. 20-4348P

210 MAY 13 1998

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AUG 4 1998

CUSTOMER  
SERVICE CENTER

Application No.: 08/992,914

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING  
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☐ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked-up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other: \_\_\_\_\_

**Applicant Must Provide:**

- ✓ ☒ ~~An initial~~ substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An <sup>initial</sup> ~~initial~~ or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216  
For CRF Submission Help, call (703) 308-4212  
For PatentIn software help, call (703) 308-6856

**PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR RESPONSE**



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARK  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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BIRCH STEWART KULASCH & BIRCH  
P O BOX 747  
FALLS CHURCH VA 22040-0747

DATE MAILED

04/13/98

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS  
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821 - 1.825 for the following reason(s):

- ☐ 1. This application fails to comply with the requirements of 37 CFR 1.821 - 1.825.
- ☒ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 CFR 1.821(c).
- ☒ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted, as required by 37 CFR 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e).
- ☐ 7. OTHER:

**APPLICANT MUST PROVIDE:**

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing."
- ☐ An initial or substitute paper copy of the "Sequence Listing," as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).

**FOR QUESTIONS REGARDING COMPLIANCE WITH THESE REQUIREMENTS, PLEASE CONTACT:**

- ☐ For Rules Interpretation, call (703) 308-1123.
- ☒ For CRF submission help, call (703) 308-4212.
- ☒ For Patent software help, call (703) 308-6856.

BEST AVAILABLE

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

**PART 2 - COPY TO BE RETURNED WITH RESPONSE**